

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

HUAWEI TECHNOLOGIES CO. LTD.,

Plaintiff,

v.

T-MOBILE US, INC. and T-MOBILE USA,  
INC.,

Defendants,

NOKIA SOLUTIONS AND NETWORKS  
US LLC and NOKIA SOLUTIONS AND  
NETWORKS OY,  
TELEFONAKTIEBOLAGET LM  
ERICSSON, and ERICSSON INC.,

Intervenors.

Nos.

2:16-cv-0052-JRG-RSP

2:16-cv-0055-JRG-RSP

2:16-cv-0056-JRG-RSP

2:16-cv-0057-JRG-RSP

JURY TRIAL DEMANDED

**JOINT STIPULATION**

Plaintiff Huawei Technologies Co. Ltd. (“Huawei”), Defendants T-Mobile US, Inc. and T-Mobile USA, Inc., and Intervenors Nokia Solutions and Networks US LLC and Nokia Solutions and Networks Oy and Telefonaktiebolaget LM Ericsson and Ericsson Inc. (collectively “Defendants/Intervenors”) hereby stipulate to the following:

In view of Huawei’s Notice of Election of Claims for Trial in the above captioned cases (Doc. No. 237 in Civil Action No. 2:16-cv-52; Doc. No. 229 Civil Action No. 2:16-cv-55; Doc. No. 231 Civil Action No. 2:16-cv-56; Doc. No. 223 Civil Action No. 2:16-cv-57) and the Court’s Claim Construction Orders, Huawei and Defendants/Intervenors agree that the parties need not address unelected or invalidated claims in expert

reports, trial briefs, motions, or other filings with the Court. Thus, to the extent that an expert opined on claims that were subsequently invalidated or not included in Huawei's Notice of Election of Claims for Trial in the above captioned cases, the opposing party's rebuttal report need not address those invalidated or unelected claims. A party's failure to address those invalidated or unelected claims shall not be deemed or argued to be a waiver of a rebuttal opinion, nor shall it be deemed or argued to constitute agreement with the unrebutted opinion.

Dated: July 6, 2017

Respectfully submitted,

/s/ John D. Haynes

John D. Haynes (GA Bar No. 340599)

Patrick J. Flinn (GA Bar No. 264540)

Michael C. Deane (GA Bar No. 498195)

Nicholas Tsui (GA Bar No. 982502)

**ALSTON & BIRD LLP**

1201 W. Peachtree St.

Atlanta, GA 30309-3424

Telephone: (404) 881-7000

Facsimile: (404) 881-7777

Email: Patrick.Flinn@alston.com

Email: John.Haynes@alston.com

Email: Michael.Deane@alston.com

Email: Nick.Tsui@alston.com

Michael J. Newton

(TX Bar No. 24003844)

Derek Neilson

(TX Bar No. 24072255)

**ALSTON & BIRD LLP**

2800 N. Harwood St., Suite 1800

Dallas, Texas 75201

Telephone: (214) 922-3400

Facsimile: (214) 922-3899

Email: Mike.Newton@alston.com

Email: Derek.Neilson@alston.com

M. Scott Stevens (NC Bar No. 37828)  
Ross R. Barton (NC Bar No. 37179)  
Linda Chang (NC Bar No. 44290)  
Robert Caison (NC Bar No. 46632)  
Samuel Merritt (NC Bar No. 47945)  
M. Joseph Fernando (NC Bar No. 49199)

**ALSTON & BIRD LLP**

Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Telephone: (704) 444-1000  
Facsimile: (704) 444-1111  
Email: Scott.Stevens@alston.com  
Email: Ross.Barton@alston.com  
Email: Linda.Chang@alston.com  
Email: Robert.Caison@alston.com  
Email: Sam.Merritt@alston.com  
Email: [Ravi.Fernando@alston.com](mailto:Ravi.Fernando@alston.com)

Marsha E. Diedrich  
(CA Bar No. 93709)

**ALSTON & BIRD LLP**

333 South Hope Street  
16th Floor  
Los Angeles, CA 90071  
Telephone: (213) 576-1000  
Facsimile: (213) 576-1100  
Email: Marsha.Diedrich@alston.com

Thomas Davison  
(FL Bar No. 55687)

**ALSTON & BIRD LLP**

The Atlantic Building  
950 F Street, NW  
Washington, DC 20004-1404  
Telephone: (202) 239-3300  
Facsimile: (202) 239-3333  
Email: Tom.Davison@alston.com

Deron R. Dacus  
Texas State Bar No. 790553  
THE DACUS FIRM, P.C.  
821 ESE Loop 323, Suite  
430 Tyler, TX 75701  
Telephone: (903) 705-1117  
Facsimile: (903) 581-2543

Email: ddacus@dacusfirm.com

*Counsel for Intervenors Nokia Solutions  
and Networks US LLC and Nokia Solutions  
and Networks Oy*

/s/ David Barkan

Ruffin Cordell

Texas Bar No. 04820550

cordell@fr.com

**FISH & RICHARDSON P.C.**

1425 K Street, N.W., 11th Floor

Washington, D.C. 20005

Telephone: (202) 783-5070

Facsimile: (202) 783-2331

Thomas H. Reger II

Texas Bar No. 24032992

reger@fr.com

Carl E. Bruce

Texas Bar No. 24036278

bruce@fr.com

David B. Conrad

Texas Bar No. 24049042

conrad@fr.com

Jane Du

Texas Bar No. 24076355

du@fr.com

**FISH & RICHARDSON P.C.**

1717 Main Street, Suite 5000

Dallas, TX 75201

Telephone: (214) 747-5070

Facsimile: (214) 747-2091

David Barkan

California Bar No. 160825

barkan@fr.com

Neil Warren

California Bar No. 272770

warren@fr.com

**FISH & RICHARDSON P.C.**

500 Arguello Street, Suite 500

Redwood City, CA 94063

Telephone: (650) 839-5070

Facsimile: (650) 839-5071

Kevin Su  
Massachusetts Bar No. 663726  
su@fr.com  
**FISH & RICHARDSON P.C.**  
One Marina Park Drive  
Boston, MA 02210  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906  
*Counsel for Plaintiff Huawei Technologies  
Co. Ltd.*

/s/ Mark D. Selwyn  
Mark D. Selwyn  
(California Bar No. 244180)  
Kathryn D. Zalewski  
(California Bar No. 263119)  
**WILMER CUTLER PICKERING HALE  
AND DORR LLP**  
950 Page Mill Road  
Palo Alto, California 94304  
(650) 858-6000

Joseph J. Mueller  
(Massachusetts Bar No. 647567)  
Cynthia Vreeland  
(Texas Bar No. 20625150  
Massachusetts Bar No. 635143)  
**WILMER CUTLER PICKERING HALE  
AND DORR LLP**  
60 State Street  
Boston, MA 02109  
(617) 526-6000

Michael E. Jones  
Texas Bar No. 10929400  
mikejones@potterminton.com  
E. Glenn Thames, Jr.  
Texas Bar No. 00785097  
glennthames@potterminton.com  
**POTTER MINTON, PC**  
110 North College Ave., Suite 500  
Tyler, Texas 75702  
Tel: 903-597-8311  
Fax: 903-593-0846

*Counsel for Defendants T-Mobile US,  
Inc. and T-Mobile USA, Inc.*

*/s/ Jamie H. McDole*

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Phillip B. Philbin

LEAD ATTORNEY

State Bar No. 15909020

Jamie H. McDole

State Bar No. 24082049

Charles M. Jones II

State Bar No. 24054941

Michael D. Karson

State Bar No. 24090198

Hamilton C. Simpson

State Bar No. 24083862

**HAYNES AND BOONE, LLP**

2323 Victory Avenue

Suite 700

Dallas, Texas 75219

Tel.: (214) 651-5000

Fax: (214) 651-5940

Email: [phillip.philbin@haynesboone.com](mailto:phillip.philbin@haynesboone.com)

[jamie.mcdole@haynesboone.com](mailto:jamie.mcdole@haynesboone.com)

[charlie.jones@haynesboone.com](mailto:charlie.jones@haynesboone.com)

[michael.karson@haynesboone.com](mailto:michael.karson@haynesboone.com)

[hamilton.simpson@haynesboone.com](mailto:hamilton.simpson@haynesboone.com)

*Counsel for Intervenors*

*Telefonaktiebolaget LM Ericsson and  
Ericsson Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document has been served on July 6, 2017, by electronic mail upon all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

Dated: July 6, 2017

/s/ John D. Haynes

John D. Haynes